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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,478	07/02/2003	Allon G. Englman	47079-00207	3126

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EXAMINER	
NGUYEN, DAT	
ART UNIT	PAPER NUMBER
3714	

MAIL DATE	DELIVERY MODE
07/07/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/612,478	ENGLMAN ET AL.	
	Examiner	Art Unit	
	DAT T. NGUYEN	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 May 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6,8,10-14,16-22 and 25-40* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6,8,10-14,16-22 and 25-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *01/23/2008*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/27/208 has been entered.

Response to Amendment

This office action is responsive to the amendments filed on 05/27/2008 in which applicant amends claims 1, 8, 14, 19, 27 and 32 and responds to claim rejections. Claims 1-6, 8, 10-14, 16-22 and 25-40 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-6, 14, 16-21, 25-33 and 36, 37 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown (US 5,842,698) in view of Vancura (US 6,517,073 B1) , Tessmer et al. (US 7,169,041 B2), Gagner (US 2004/0248651 A1) and Rafaeli (US 6,755,741).

The rejection as stated in the previous office action dated 01/24/2008 is maintained, modified and incorporated herein.

Regarding the amended limitations of the non-eligible players having a selection choice to select the event from a plurality of events, in two related pieces of prior art, Gagner and Rafaeli, they both teach casino games wherein players may make passive side wagers even though they are not involved in the main event. Gagner teaches a game wherein a plurality of players are connected together in a gaming event. Once a player hits a trigger event, that player is eligible for play of a special game, however other players in the same event are then offered the opportunity of wager on the triggering player's outcome as a side bet. Rafaeli teaches a dice game wherein players who are not rolling the dice (involved in the event) may wager on the outcome of the dice and participate in a passive manner through the wagering of side bets. The bonus game of Brown is a bonus game of dice wherein eligible players can make bets and roll dice, however when combined with the teachings of Rafaeli and Gagner would produce a bonus dice game wherein non-eligible players would be able to make side wagers on the predicted outcome of the dice roll. Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Rafaeli and Gagner of the bonus side bet schemes with the game of Brown in combination with the other references in order to produce a bonus game wherein all players can actively participate during a bonus event so that the non-eligible players are not bored waiting for the game to pass.

Claims 8, 10-13, 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown in view of Vancura, Tessmer, Gagner and Rafaeli and further in view of Giobbi et al. (US 6,155,925).

The rejection as stated in the previous office action dated 01/24/2008 is maintained, modified and incorporated herein.

The rejection is modified as discussed above.

Claims 22, 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown in view of Vancura and Tessmer as applied to claim 21 and 32 above, and further in view of Olsen (US 6,210,275).

The rejection as stated in the previous office action dated 01/24/2008 is maintained, modified and incorporated herein.

The rejection is modified as discussed above.

Response to Arguments

Applicant's arguments with respect to claims 1-6, 8, 10-14, 16-22 and 25-40 have been considered but are moot in view of the new ground(s) of rejection.

Regarding claims 26 and 31, wherein the prior art is allegedly lacking in the teaching of a prediction regarding landing of a game piece, the examiner respectfully disagrees. The game of Vancura is played on a board using the roll of dice. The game of Brown uses roll of dice as well. When combined as it is in the rejection above, the game of brown would be executed in the heads up display of Vancura shown as a Monopoly board. Combined with the newly cited references of Rafaeli and Gagner, the game would allow non-eligible players to make predictions of the roll of the dice which is

inherently linked to the position of the game piece on the board and therefore the prior art can be said to meet the claimed limitations.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAT T. NGUYEN whose telephone number is (571)272-2178. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on (571)272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John M Hotaling II/
Primary Examiner, Art Unit 3714

Dat Nguyen